GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:703
ANSWERED ON:26.07.2001
AMENDMENT IN NATIONAL LEGAL AUTHORITY SERVICE ACT
RAMSHETH THAKUR

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Government propose to amend the National Legal Authority Service Act to create pre-litigation forums;

(b) if so, the details thereof; and

(c) the time by which the said amendments are likely to be made ?

Answer

MINISTER OF LAW, JUSTICE & COMPANY AFFAIRS AND SHIPPING (SHRI ARUN JAITLEY)

(a) Yes, Sir,

(b) A major drawback has been observed in the existing scheme of organization of Lok Adalats constituted under the Legal Services Authorities Act, 1987. As per the existing statutory provisions, the system of Lok Adalat is solely based on compromise or conciliation and if parties are not able to arrive at any compromise or settlement, the case is returned by the Lok Adalat to the concerned court for decision in accordance with law or parties are advised to seek legal remedy in a court of law. Thus, the time taken by the Lok Adalat for conciliation, further adds to the delay. If the Lok Adalat is given power to decide the cases on merits in case parties fail to arrive at a settlement or compromise, then this problem can be tackled to a great extent. Cases which arise in certain Departments rendering public utility services need to be settled urgently so that people get justice in time even at pre-litigative stage. If these cases are settled at pre-litigative stage, most of the petty cases which ought not to go in the regular courts would be settled at the pre-litigative stage itself which would result in reducing the workload of the regular courts to a great extent. Therefore, it is proposed to suitably amend the Legal Services Authorities Act,1987 to provide for compulsory pre-litigative mechanism for conciliation and settlement of cases in certain areas covered by the public utility services in consultation with the concerned authorities.

(c) A Bill to amend the Legal Services Authorities Act, 1987 will be introduced in Parliament as early as possible.